

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MINNESOTA**

POLARIS INDUSTRIES INC.,)
a Delaware Corporation,)
)
 Plaintiff,) Civil Action No. 15-cv-04475
) (JRT/TNL)
v.)
)
)
ARCTIC CAT INC.,)
a Minnesota Corporation, and)
ARCTIC CAT SALES INC.,)
a Minnesota Corporation,)
)
 Defendants.)
)
)

**POLARIS'S MOTION FOR AN ORDER FINDING THAT DEFENDANT
ARCTIC CAT IS ESTOPPED FROM ASSERTING ITS IDENTIFIED
INVALIDITY GROUNDS**

Pursuant to Dkt. No. 454, Plaintiff Polaris Industries Inc. (“Polaris”) respectfully files this motion and accompanying memorandum in support regarding the scope of estoppel under 35 U.S.C. 315 § (e)(2).

Polaris respectfully moves the Court, pursuant to Federal Rule of Evidence 104, for an Order holding that Defendants Arctic Cat Inc. and Arctic Cat Sales Inc. (collectively, “Arctic Cat”) are statutorily estopped from offering into evidence at trial any of the references forming the seven “combinations” it asserts in this case as 35 U.S.C. § 103 obviousness defenses against claims 1-12 and 14-22 of U.S. Patent 9,217,501.

Polaris also respectfully moves the Court, pursuant to Local Rule 7.1 and Federal Rule of Civil Procedure 56, for an Order granting summary judgment in Polaris’s favor on each of the seven “combinations” Arctic Cat asserts as 35 U.S.C. § 103 obviousness defenses against claims 1-12 and 14-22, on the basis that Arctic Cat is statutorily estopped from raising those defenses.

This motion is based on the supporting Memorandum of Law, the exhibits and declarations submitted herewith, and all other documents and materials of record in this matter.

Dated: March 12, 2019

Polaris Industries Inc. by counsel

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